IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 13TH SEPTEMBER 2007 / 22ND BHADRA 1929

WP(C).No. 27285 of 2007(W)

PETITIONER:

JANAKI, W/O.LATE NARAYANAN,
NADAKKAVIL HOUSE, THOZHUPADAM P.O.,
CHELAKKARA (VIA), THRISSUR DISTRICT.

BY ADV. SRI.K.MANOJ CHANDRAN
SRI.P.R.AJITHKUMAR

RESPONDENTS:
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1. THE TAHSILDAR, THALAPPILLY TALUK.

2. THE ASSISTANT EXECUTIVE ENGINEER,
CHEERAKUZHY IRRIGATION PROJECT SUB.DIVISION,
PAZHAYANNUR - 680 587.

3. THE VILLAGE OFFICER,
PAINKULAM VILLAGE,
THALAPPILLY TALUK.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 27285 OF 2007
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Dated this the 13th day of September, 2007

J U D G M E N T

The writ petitioner seeks to quash Ext.P3 notice issued under the Kerala Land Conservancy Act. By this, the petitioner has to vacate from the premises within three days. According to the learned counsel for the writ petitioner, the property belongs to him and there has not been a proper identification of the property by survey and demarcation. It is without all that, Ext.P3 has been issued.

2. Having heard the counsel for the writ petitioner and the learned Government Pleader, I dispose of this writ petition directing the respondents to consider Ext.P3 as a notice to the petitioner, and afford the petitioner an opportunity to file his objections to the same.

3. Accordingly, I direct that the petitioner will file his objections to Ext.P3 within three weeks from today and

thereupon the 2nd respondent will consider the objections so raised by the petitioner, and if necessary, get the area surveyed and demarcated. Thereafter decision will be taken on Ext.P3, with an opportunity of hearing to the petitioner and until then further proceedings pursuant to Ext.P3 shall not be proceeded.

With the above direction, the writ petition is disposed of.

ANTONY DOMINIC, JUDGE.

Rp